Secn. II—48—18,005-10-2-1

Public works (1915) Department.

~~Mi~~scellaneous SERIES.

Removed dis
No. 870/14
1142/14
919/14

G.O. No. 258 I

DATED 22.5.15

[Despatch Abstract.]

Land

sanctioning the payment of Rs 90 as compensation for damage done to — occupied by the Dhanakarai gauging parties during 13-14

INDEXED.

BACK PAPERS.

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Scott. II—9.

Compensation for

DEPARTMENT.

Land occupied by the Gautang parties

CURRENT FILE.

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[P.T.O. FOR PUT UP PAPERS.

PAPERS PUT UP WITH CURRENT No. ______

Papers of the department to which the current belongs.

Number.	Date.	Original (=O.) or spare copy (= S.C.)	Remarks. (In this column such of the papers as have been removed for copying, printing, etc., should be marked with a cross.)	Initials of Referencer with date in token of return to Reference department.

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Department.	Number	Date.	Original (= O.) or spare copy (= S.C.)	Initials with date of (1) Referencer acknowledging returns of the paper concerned or (2) Despatcher to denote the return of the papers to the department concerned.

Stock Form No. 141 (a).
4,000—18-6-09.

PUBLIC WORKS DEPARTMENT.

Irrigation Branch.

Current No.

Enclosures. Plans No. / Others No. / Total

Dis 9/1 21.5.14

Spare copies.

Received ... 19 .

Registered ... 19 .

Passed on by Registering Clerk
" " U. R. Clerk
" " Record-keeper
" " Drafting Officer

P.W. DEPT., IRRIGATION, Madras. 7 MAY 1915 No. 3546/15 GOVERNMENT OF MADRAS.

Subject.

Land occupied by the camps of the Danakarai gauging parties during the seasons 1913 & 1914 — Forwards copies of correspondence regarding the — and requests to accord sanction to the payment of the sum of Rs 90/- to the party concerned.

No. 145 I / 443 B

Station COIMBATORE, Dated the 5th MAY 1915.

From (Name) J. M. PARKER Esq.,

(Designation) Superintending Engineer, IV Circle.

To The Chief Engineer ~~The Joint Secretary~~ to the Government of Madras,

Public Works Department,

Irrigation Branch

Sir,

I have the honour to inform you that the owner of the land occupied by the camps of the Danakarai gauging - parties during the seasons of 1913 (under Mr. Wernigg) and 1914 (under Mr. Howe) has put in a claim for compensation for damage done to his land and loss of crops and trees. The extent occupied is 2.27 acres. The matter was referred to the Deputy Collector of Kollegal and after due enquiry he considers that the following sums may fairly be awarded:--

2

For fasli 1323 .. Rs. 22-8-0

For fasli 1324 .. Rs. 67-8-0

Total Rs. 90-0-0

A copy of the Tahsildar's letter dated 26-11-14, is enclosed for information together with a copy of the Revenue Divisional Officer's letter No.363 of 11-4-15 and its enclosures in original (to be kindly returned).

The question of compensation for future occupation raised by the Deputy Collector does not now arise. I consider the award for the past occupation to be fair and request that sanction may be accorded to the payment of the sum of Rs.90 to the party concerned.

I have the honour to be,

Sir,

Your most obedient servant,

4/5/15

Supg. Engineer, IV Circle.

Encl.--

1 ~~copy of~~ copy of letter of the Tahsildar. Kollegal

1 copy of the Rev. Division Officer's letter

To be kindly returned.
1 plan
3 statements
& 1 report of the Revenue Inspector
1 Tahsr letter no 415 of 10-4-15

C.V.N
3-5-15.

1,000—4-4-13.

P.W.D., Irrigation Branch.

Subject :— Land occupied by the camps of the Dhanakarai gauging parties during 1912-14.

NOTES.

Notes edited.

Initials of the Clerk.

NOTES.

Page 1

P.W.D.2

Land occupied by the Dhanakarai gauging parties for during 1913-14.

From the Supg. Engr IV circle 145 I / 443 B d/ 5.5.15

3524 6/15 Pol-19 of.

D.I.

I.

Submitted for perusal.

The compensation of 90 Rs claimed is for the damage done to land occupied by the camps of Dhanakarai gauging parties during the seasons of 1913 and 1914. The cost of establishment employed in the Parties was debited to "25 B - Political" Imperial and the compensation now claimed may also be debited to that head. The Supg. Engr may be requested to see that cases like this do not recur in future.

Ds. 20 919 / 21.5.14 flag 'L'

A draft order sanctioning the compensation is submitted for approval. Which may be sent to ~~[illegible]~~ Revenue and Financial for acceptance.

[initials] 10.5.15

[initials] 10.5.45

[initials] 14/5/15

The Compensation appears reasonable. I do not see in what respect the S.E. ~~[illegible]~~ or his subordinates are blameworthy. I may add that I am responsible for the original occupation of the land which was necessary in order

NOTES.

to Conduct at the works ..

[signature]

12. 5. 15

Rev. U.O.

Financial U.O.

SECRETARY TO GOVERNMENT
13 MAY 1915
REVENUE DEPARTMENT

P. W. D. IRRIGATION
U.O. No. 3546/15-I
Dated 13. 5. 1915

D9

REVENUE-C
814

Regd. 13-5-15

Rev Dept

To U.S

The draft order may be accepted in Revenue & the file passed on to Fin.

TBM
14-8-15

In cases like this where the Government finds themselves unable to accept the demand for compensation made by the owner of the land, it is desirable that Govt should be in a position to defend their action by ~~any~~ some provision of law.

Pages 3. 4 C7

Here, the land was entered upon in F 1323 & could not be cultivated in that year ~~and~~ or in F 1324. It is said to be required for occupation for six months every year and

Page 5 - C7

the Dist officer suggested the settlement of terms on which occupation should be allowed for F 1325. The Superintending Engineer however says that the question does not now

Page 2 C7

arise. Land may be entered upon either

The position is legally anomalous

& apparently no agreement

has been come to. The so called

award of the Pg Ch. has no

legal validity, &

& seems not to be agreed

[illegible]

Unrepealed General Acts Vol IV page 363.

in accordance with the provisions of the Land Acqn Act 1894 or in pursuance of an Agreement entered into with the owner. The D P W in the present case do not purport to have acted either under Sec 4 or under Sec 35 of the Act; nor do they seem to have obtained the consent of the owner and settled terms with him.

These were the proper alternative courses. D

Page 14-C7. The Revenue Inspector's report shows that it is possible to make the owner consent to receive the amount proposed by the Tahsildar, but para 3 of the

Page 18-C7 Tahsildar's report suggests ~~an~~ a possible difficulty in this respect.

The draft proposed may be accepted in Revenue and the attention of the PWD drawn to the necessity for a previous negotiation in respect of future occupation.

14/5/15

The position is legally unsound & apparently no agreement has been come to. The so called "award" of the Dy Collr has no legal validity, & ~~is apparently~~ & seems not to be agreed

cf. p 3 to by the owner, who claims R 442

Sec. may, however, agree to the draft, as the owner will very probably accept the sum of R 90/. which seems to be

a fair compensation

[initials]
15.5

Accepted in Revenue
D
17-5-15

SDT
17/5

Fwd. u.o.

Rev. u.o. 814 PG/15-1
18.5.15

CURRENT NO.
3195
FINANCIAL

Regd 18.5.15

Financial dept.

The draft may be accepted.

V.G.K.
19.5.15.

Accepted in Finl.

[signature]
19.5.15

File no 3195-1
19.5.15

P.W.D.(I)

PUBLIC WORKS DEPT., IRRIGATION
Ootacamund.
19 MAY 1915
No. 3546/15
GOVERNMENT OF MADRAS.

P.W.D.(Irgn)

D.I.

The draft order may now issue

G.W.
20.5.15

[signature] 20/5/15

[signature] 20/5/15

Scott. II—10 (a)—7,000—4-13.

DEPARTMENT.

Land

Land

Sanctioning the payment of Rs 90/- as compensation for damage done to land occupied by the Dhanakarai gauging parties during 1913 and 14.

READ AGAIN G.O. No. ………, dated ……… 191 .

" " " " ………, " ……… 191 .

READ ALSO:—

C. No. 3526/15, From the Supg. Engr. IV circle, No. 145 D / 443 B, dated 5. 5. 1915.

" " ………, " " ………, " ………, " ……… 191 .

" " ………, " " ………, " ………, " ……… 191 .

ORDER. No. 258 I dated 22. 5. 1915.

Mis

Sanction is accorded to the payment of Rs 90/- as compensation for damage done to land occupied by the Dhanakarai gauging parties during the seasons of 1913 and 1914. The charge will be debited to the head "25 B. Political Miscellaneous - Imperial".

2. ~~The Supg. Engr. will see that similar cases do not recur in future.~~

Page 171 CBE

To

The Supg. Engr. IV circle

Tahsildar's letter No. 2047 of 26-11-14, Rev. Divl. officer's letter No. 363, 1 plan, 3 statements, Report of R.D. and Tahsildar's letter No. 415/15, 10-2-15

The Acct. General. (Marginal).

DESPATCHED
Date 24/5
Enclos. Tahr letter No 2047, Rev D O's letter, 1 plan, 3 stats, R.D's letter

ALL 10.5.15

12/5

12/5

When given for copying
When copied
When examined
When signed
191 .

READ AGAIN G.O. No. , DATED
191 .

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT	A	A	A	A	A	A	A
LETTER OF GOVERNMENT.							
STATEMENT WITH DITTO.							
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.							

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